

Jeff:

On October 4, Henry Staudinger and I met to see if we could reach a mutual understanding of the expressed concerns of the public; and to prioritize them in light of what we thought the panel might be able to accomplish within the severe limitations it is operating under. We had a very productive three hour talk and have reached some initial conclusions that we wish to share.

First, we believe that the collection of certain types of information would be valuable, not only to this panel, but also to DEQ as it takes over the biosolids regulations. Henry is drafting a memo to other panel members setting forth the kind of information we believe should be solicited by the panel. It is our thought that Henry's memo could serve as a starting point for the information gathering process to be developed when the workgroups next meet.

Second, we believe that there should be an effort to prioritize the focus of the panel on issues important to the public that could be addressed by the panel. Henry and I agree that health is the greatest concern of many citizens – particularly as associated with aerosols and vapors emanating from biosolids land application sites.

We are aware of the complaints of illness from people living in close proximity to biosolids land application sites. An important concern of the public is the human health impact of the constituents in these aerosols following exposure. This concern is heightened by those citizens who are already ill, those with allergies or heightened sensitivities to chemical and biological agents, and those who have experienced health problems following exposure. The public's inability to scientifically document the exposure's relationship to biosolids that are in close proximity to their residences due to lack of information as to the constituents in biosolids has been especially troubling.

The joint resolution charged the panel to "perform a detailed analysis of the chemical and biological composition of biosolids". Both Henry and I agree that this is an impossible task for the panel, and that a full list of pollutants in any given biosolids will not be identified in the near future.

Since we do not expect a full list of constituents in any given biosolids and there is a lack of scientific study as to the potential health impact of many of those constituents, we recommend that the panel evaluate the possibility of adequate buffers to preclude exposure, particular to those most susceptible to harm as a short term way to address this particular problem. We recommend that the panel seek out both literature and experts who can help the panel understand the extent to which adequate buffers could be developed to address this important concern.

We also discussed the issue of pollution sensitive sites. EPA has left it up to the states to determine and eliminate pollution sensitive sites. The public is not satisfied that this has been adequately addressed in Virginia. We believe those on the panel with special expertise in this area should focus on this area.

Inadequate testing, monitoring and enforcement are other expressed concerns. We would ask DEQ to explain how it would address this issue and the extent to which additional funding and/or personnel might be required.

We have attempted to set forth what we consider the important issues we think could be addressed and made part of a constructive report to the General Assembly. We are well aware that there are other issues that should be addressed and that others on the panel may have different priorities.

Henry and I suggest that you poll the panel members as to their thoughts on prioritizing the numerous issues that the panel has been charged. The results of this polling will help to shape the agendas for the first meetings of the two workgroups to be held within the next 2-3 weeks.

It would be very valuable if draft agendas were sent to all members in advance of the meeting dates of the two workgroups to seek their input. Henry and I are available to assist in drafting such agendas if you wish. We can also do this by interacting with the workgroup facilitators.

Please do not consider us “forward” and trying to direct the panel. Henry and I feel, however, that because of the numerous issues confronting the panel, identifying priority issues are imperative to give the overall panel “focus” and initiate progress. The panel has less than 60 days to submit its initial report, only 13.5 months to undertake an enormous task.

Thanks for listening.

Alan B. Rubin, Ph.D.
Principal
ENVIROSTRATEGIES, LLC